

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

CHRISTOPHER F. ALFRED,)	
)	
Plaintiff,)	
)	
vs.)	Case Number CIV-07-950-C
)	
JOHN WHETSEL and DAVID PRATER)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This 42 U.S.C. § 1983 action brought by a prisoner proceeding pro se, was referred to United States Magistrate Judge Robert E. Bacharach, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Bacharach entered a Report and Recommendation (“R&R”) on November 19, 2007, to which Plaintiff has timely objected. The Court therefore considers the matter de novo.

In the R&R, Judge Bacharach recommends denial of Plaintiff’s Motion for a Preliminary Injunction because the Court should abstain. The R&R carefully and thoroughly sets out the facts and the applicable law and Plaintiff has offered nothing in his Objection suggesting a different result is warranted. In short, Plaintiff has failed to offer evidence sufficient to satisfy the heavy burden necessary to avoid abstention and obtain injunctive relief.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and, for the reasons announced therein, Plaintiff's request for preliminary injunctive relief is DENIED.

IT IS SO ORDERED this 7th day of December, 2007.



ROBIN J. CAUTHRON
United States District Judge